

# **EXHIBIT 3**

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

MARK A. HANSEN,

Plaintiff

VS.

AON RISK SERVICES OF TEXAS, INC.,

Defendant.



CIVIL ACTION NO. H-05-3437

DECLARATION OF VICTORIA MCDONOUGH

My name is Victoria McDonough. I am of sound mind and capable of making this Declaration. I am over the age of eighteen. This declaration is based on my own personal knowledge of the facts stated herein:

1. I am the Managing Director, Houston Client Service Center, Aon Risk Services of Texas, Inc. (Aon).
2. In my position, based on the request of Bob Bondi, I initially hired Mark Hansen to work in special projects in March 2002. I then placed him in the position of Director, Client Account Services (which later became known as Director, Placement Services Unit (PSU)) in June 2002.
3. As Director, PSU, Hansen was inefficient, unable to fully perform and learn the tasks required of his position, and could not adequately fulfill his leadership duties. He was also the subject of internal complaints about his performance. I also received complaints from Bob Bondi, Peter McKenzie, Joe Propati, and Bill Burke regarding his performance.
4. Attachment 1 to this Declaration is an accurate copy of a May 6, 2003 email I sent to David Barnes, Human Resources Manager, discussing Hansen's ineffectiveness, lack of skill, and excessive turnover in his department.
5. Attachment 2 to this Declaration is an accurate copy of a May 16, 2003 email I sent to Bill Burke, Resident Managing Director, discussing the need to remove Hansen from his position of Director, PSU. This was in response to Burke's request to have staff changes because of the service problems and confusion caused by Hansen's ineffectiveness and inability to fulfill his duties as a director.
6. Effective June 2003, I demoted Hansen to the position of Assistant Director, Client Services Unit (CSU). In this position, his direct supervisor was Donna Parsley.

7. Also effective June 2003, I gave the position of Director, Document Production to Kimberly Overgoner because she had significant experience required for the position. Specifically, she was efficient and skilled in working with large volume matters, which made her particularly appropriate for this position. She was also successful in her previous position, which was also at a Director level. I did not specifically consider placing Hansen in the position of Director, Document Production.
8. Based on my own experiences and information I obtained from Donna Parsley and Tracie Jones, Hansen, as Assistant Director, CSU, was still not able to adequately perform his job responsibilities and the company was unable to assign him duties that he could perform within the structure of that division. Parsley informed me that Hansen indicated an unwillingness to successfully perform the work of his own position and additional duties that the company needed him to perform. Parsley further informed me that Hansen was inefficient and unable to learn all the tasks required of his position. The company also received several complaints from other Aon employees about Hansen's performance.
9. After discussing with Parsley and David Barnes and Ernie Joyner, both of the human resources department, and determining that Hansen was misplaced and not able to handle his responsibilities, I terminated Hansen in November 2003. After his termination I gave him an opportunity to work at least an additional month on a separate project while he searched for alternative employment.
10. Parsley and I made the decision to hire Rachelle Simon for the position of Assistant Director, CSU. Simon assumed Hansen's position upon his termination. Simon is currently in the same position.
11. In my position as Managing Director, I have been involved in decisions to demote, promote, or terminate several Aon employees, both male and female. The following are examples of such recent decisions:

Richard Wong – Promoted from Specialist to Assistant Director, CSU  
(April 2005)

Mark Wagner – Promoted from Senior Specialist to Assistant Director, PMU  
(March 2006)

Tom Shores – Promoted from Senior Specialist to Assistant Director, PMU  
(March 2006)

Patricia Seagler – Promoted from Senior Specialist to Assistant Director, DPU  
(May 2005)

LaDonna Brogan – Promoted from Senior Specialist to Assistant Director, PMU  
(April 2003)

Sarah Hall – Promoted from Senior Specialist to Assistant Director, CSU

(February 2006)

Kimberley Helm – Demoted from Director to Assistant Director, DPU  
(February 2006)

Irma Espada – Demoted from Assistant Director to Senior Specialist, PMU  
(February 2006)

Carol Grice – Demoted from Assistant Director to Senior Specialist, CSU  
(May 2005)

Carol Martin – Demoted from Assistant Director to Senior Specialist  
(February 2006)

Lauretta Hines – Terminated (November 2002)

12. To my knowledge, Hansen's gender was not a factor in any decision related to his employment, including but not limited to his compensation, his May/June 2003 demotion, the placement of Kimberley Overgoner in the Director, Document Production position, the terms and conditions of his employment, and his termination of employment. I did not consider Hansen's gender in any decision that I made related to his employment. I had discussions with Donna Parsley and others regarding Hansen's performance, demotion, and termination, and we did not discuss Hansen's gender in these meetings.
13. Attachments 1 and 2 are accurate copies of documents kept in Aon's regular course of business. It is the regular course of business for Aon to make and maintain such documents. As an Aon employee, I am qualified and authorized to make and maintain these documents. These documents were made at or near the time the stated acts, events, or conditions occurred.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: July 14, 2006.

  
Victoria McDonough

# **ATTACHMENT 1 TO EXHIBIT 3**

Victoria McDonough

05/06/2003 12:49 PM

To: David M Barnes/ASG/US/AON/AONNA

cc:

Subject: mark hansen

I spoke with Mark yesterday. I advised him that his department is not working effectively and that we need to make a change in management to assure that we get the results we need. The issues are excessive turnover, monitoring of the work and level of talent within the department. Mark advised that some of the turnover was necessary to upgrade the staff. I reminded him that he has had a lot of time to get this issue addressed and improvements are too slow coming. I also told him that I have been approached by Senior Aon Management who expressed that the field lacks confidence in Mark. This is likely due to his background and that we are still not working closely enough with Syndication. Example: he and Mark Oakley are just now beginning to get the PSU staff out to meet with syndicators in the field office. We are well behind other sites in getting this going. We also discussed that of late Mark has not been providing his team leads with early warning reports regarding invoicing and therefore they are not prepared each week to address why items have not been billed. He agreed he has dropped the ball in this area recently. I have proposed that he move into a AD role in CSU where I feel he could use his skills to be effective. I also suggested he speak with the LA site about possible job and finally if he wanted I would create a separation package. He expressed his desire to stay with Aon. He is not interested in going back to claims. I suggested he talk to Bob Bondi, Dan Yelich and Larry DeBoer (LA) about the opportunities I mentioned. He really wants to stay in PSU and have more time to make it work. I told him that wasn't an option since I don't have more time to wait for improvements and that the perception in the field is that he doesn't have the skills to make this work. I told him I wanted his answer soon before he takes vacation in the next week or so.

# **ATTACHMENT 2 TO EXHIBIT 3**

05/16/2003 09:53 AM

To: Bill Burke / MIAMI / USA / AON @ AON NA  
cc:  
Subject: Re: staff changes

Mark is out this week after having a new baby. He should be back on Monday. I anticipate speaking with him no later than Thurs. (I am in Miami early in the week.) I would like to remove him from the department then and replace with Sharon. I anticipate the other changes sometime the following week, if all goes right. It will necessitate many discussions with team leaders and staff as we make the announcements which I am trying to schedule now.

Bill Burke

Bill Burke

05/15/2003 08:41 PM

To: Victoria Mcdonough  
cc:  
Subject: staff changes

Where do we stand with the staff changes we have discussed? We need to move forward asap because the service problems and confusion are growing.